

# **PERSONNEL RULES & REGULATIONS MANUAL**

## **SECTION 600 COMPENSATION**

### **Section 601. Compensation Plan**

#### **601.1 Introduction**

The City Manager shall present once each year a proposed compensation plan for the next succeeding fiscal year. Such plan shall be deemed to be approved by the City Council unless it is modified by the Council as part of the adoption of the budget. The City's Compensation Plan consists of all salary and other monetary benefits afforded to the various job classifications of the City's workforce.

#### **601.2 Purpose**

The City strives to provide the quality of life desired by the community through services provided by its various departments. The most important vehicle for providing these services is through City employees. The purpose of the Compensation Plan is to attract, retain and motivate a highly qualified and competent work force to provide the quality of service the citizens expect and deserve.

The City shall seek to be competitive within the labor market, subject to the availability of funds. This will be accomplished through comparative wage surveys of applicable external markets. Internal equity is maintained through a program of reviewing each job class within the City and making compensation and adjustments to applicable positions when needed. In addition, the City's performance evaluation system is monitored to ensure the fair and consistent treatment of employees advancing through the salary range or salary steps of their respective position. Pay ranges shall include a minimum rate, a midpoint rate, and a maximum rate for each class.

#### **601.3 Standards for Development**

The Compensation Pay Plan is directly tied to the Classification Plan and is determined on the basis of:

- a. Uniformity of pay for each class.
- b. Relative difficulty and responsibility of positions.
- c. Prevailing wages within the identified relevant public and private sector markets.
- d. Cost of living index.
- e. Financial policies of the municipality.
- f. Difficulty in recruiting suitable employees.
- g. Other economic considerations.

#### **601.4 Maintenance**

The City Manager shall direct the Human Resources Director to conduct internal and external analyses of the Compensation Plan as part of the annual budget process to identify whether or not, and how much, salary ranges and/or other monetary benefits require adjustment.

### **Section 602. Fair Labor Standards Act**

The Fair Labor Standards Act establishes "standards" for minimum wages, maximum hours, overtime pay, and child labor. All employees at every level in the City are responsible for compliance with the FLSA, as amended. Responsibilities for the administration and interpretation of the FLSA include determining the existence of an employer-employee relationship; determining an employee's exempt or non-exempt status under the FLSA; interpreting and applying minimum wage, work time, coded hours, overtime, work schedules, special residency agreements, and other FLSA provisions such as child labor standards.

### **Section 603. Minimum Wage**

The City follows minimum wage requirements as established by the Fair Labor Standards Act (FLSA). The FLSA required minimum wage will be \$7.25 effective July 24, 2009.

### **Section 604. Salary Schedules**

Each salary schedule lists the applicable salary rates or ranges within that schedule. All current job classifications are assigned to an appropriate salary rate or range on the applicable salary schedule that reflect both the required qualifications and comparable market values for each classification. Salary schedules are effective at the beginning of each fiscal year.

#### **604.1 Range Schedule**

Employees appointed to a classification in a salary range schedule may be eligible for increases in compensation at the beginning of each fiscal year as recommended by the City Manager and approved by the City Council during the budget process. The amount of the increase is based upon a general wage adjustment and the results of the employee's performance evaluation.

#### **604.2 Step Schedule**

Employees appointed to a classification in a salary step schedule may be eligible for a general wage adjustment at the beginning of each fiscal year as recommended by the City Manager and approved by the City Council through the budget process. Employees may be eligible to advance to the next step of the salary schedule based upon the results of the employee's performance evaluation and 12 months of continuous employment.

#### **604.3 Lateral Hire Schedule (Police Department Only)**

Newly hired sworn police officers who have eligible prior police/law enforcement experience may be eligible to receive a salary incentive upon hire provided the applicant meets eligibility criteria. To be considered eligible to be hired under the lateral hiring policy, a police officer candidate must have been a salaried employee within one or more of the following listed categories of public safety/police/law enforcement agencies, excluding Special Police Officers (SPOs), with powers of arrest and the lawful authority to carry a firearm during the course of his/her official duties and employment:

- a. A federal police/law enforcement agency
- b. A state/U.S. territory police/law enforcement agency
- c. A county police/law enforcement agency
- d. A city police/law enforcement agency
- e. A university/college police/law enforcement agency
- f. A military police unit/detachment
- g. A state or county sheriff's department (does not include those employed exclusively within the arena of corrections or detention).

Candidates eligible to be hired under the lateral hiring policy will receive a salary incentive for prior qualifying law enforcement experience, up to a maximum of 5 years. The calculation will be based on the candidate's length of eligible prior police/law enforcement experience. Partial years of qualifying service will be rounded up or down for purposes of compensation (service) credit. (Six months or less of qualifying service will be rounded down and seven months or more of qualifying service will be rounded up.) This program does not provide for the lateral transfer of rank, rights, or seniority. All police officer candidates are hired with the job title of Police Officer I.

### **Section 605. Compensation of Part-Time Employees**

Part-time, and part-time intern employees will be paid for work on an hourly basis. The rate-of-pay for all part-time employees is set by the City Manager or his/her designee and continued employment or changes in rate of pay should not be expected. The hourly rate will be determined by the Director of Human Resources based on information received from the Department Head regarding the duties to be performed and the skills needed to accomplish the task.

### **Section 606. Starting Compensation**

Based on applicable prior experience, candidates will be hired at a rate between the minimum and the midpoint for the appropriate pay grade. If a candidate is exceptionally well qualified, or if other extenuating circumstances exist, the candidate may be hired at an amount above the midpoint of the appropriate pay grade provided the starting salary is approved by the City Manager or his/her designee.

### **Section 607. General Wage/Pay for Performance Adjustments**

Based upon recommendations from the City Manager as part of the annual budget process, the City Council may allocate funds for general wage adjustments and pay for performance adjustments. The Department of Human Resources will calculate annual general wage adjustments and pay for performance adjustments based on the employee's performance evaluation and recommendations from the Department Head.

#### **a. Classified Employee and Unclassified Management Employee**

An employee who receives a performance rating of Successful for the prior review period may be eligible to receive the general wage adjustment and a performance based pay adjustment at the beginning of each fiscal year except sworn police officers who will receive performance based pay adjustments on their law enforcement service anniversary date. In order to receive a performance based pay adjustment, an employee must have a performance evaluation on record for the previous fiscal year.

A classified employee or unclassified management employee with a rating of Unsuccessful for the prior review period may not be eligible to receive the general wage adjustment and/or the performance based pay adjustment.

#### **b. Probationary Employee**

A probationary employee who receives a performance rating of Successful for the prior review period may be eligible to receive a prorated general wage adjustment and a performance based pay adjustment upon completion of his/her probationary period. Upon successful completion of the probationary period, the employee will also be afforded all of the rights and privileges of the merit system.

A probationary employee with a performance rating of Unsuccessful for the prior review period may not be eligible to receive the general wage adjustment and/or the performance based pay adjustment. Additionally, the employee's probationary period may be extended or the employee may be terminated at the sole discretion of the City.

Upon successful completion of the probationary period, the new annual salary of an employee on the range salary schedule is prorated based on the number of pay periods remaining in the current fiscal year. The prorated salary is calculated as follows:

##### **1. Calculate New Biweekly Salary:**

$\text{Current annual salary} \div 26 \text{ (number of pay periods in fiscal year)} = \text{current biweekly salary}$ ;  $\text{current biweekly salary} \times \text{percentage of general wage/performance based pay adjustment (as approved in fiscal year budget)} = \text{new biweekly salary}$ .

##### **2. Calculate New Annual Salary:**

$\text{New biweekly salary} - \text{current biweekly salary} = \text{increase per pay period}$ ;  $\text{increase per pay period} \times \text{number of remaining pay periods in the fiscal year} = \text{total salary increase for remaining pay periods}$ ;  $\text{total salary increase for remaining pay periods} + \text{current annual salary} = \text{new prorated annualized salary}$ .

Upon successful completion of the probationary period, an employee on the step salary schedule moves to the next step within his/her pay grade.

The successful end of probation increase is a one-time adjustment and is effective at the beginning of the pay period in which the probationary period ends. Thereafter, classified employees and

unclassified management employees receive general wage adjustments and/or performance based pay adjustments in the manner set forth in Section 607 (a) above.

c. **Part-Time Employee**

Part-time and part-time intern employees may be eligible for a general wage adjustment after successfully completing one year of service, and thereafter, as part of the annual budget process based on Department Head and City Manager recommendations. Any other pay rate increase or adjustment for a part-time and/or part-time intern employee must be approved by the City Manager or his/her designee.

d. **Special Wage Adjustment**

At the recommendation of the Department Head, the City Manager may authorize a wage adjustment to encourage retention of highly qualified City employees and to address pay inequities if he/she believes it to be in the best interest of the City to do so. A wage adjustment cannot result in the employee's salary being below the minimum or above the maximum of the employee's salary range.

**Section 608. Payroll Policies**

**608.1 Hours of Work**

Salaries are computed under the City's Compensation Plan on the basis of 52 weeks for a work year of not more than 2,080 hours for all employees. ~~The normal work week for classified employees and unclassified management employees shall be 40 hours worked or on paid leave within a seven day period as determined by the City Manager.~~ Classified employees and unclassified management employees shall be granted a meal break during the course of the workday pursuant to Fair Labor Standards Act (FLSA) regulations (see Section 501.3, Meal Break). *(March 7, 2010)*

**608.2 Pay Periods & Pay Days**

City employees are paid on a biweekly basis. The standard pay period begins on a Sunday and ends 14 calendar days later on Saturday (12 a.m. Sunday through 11:59 p.m. Saturday).

Paychecks or earning statements (if the employee has direct deposit) are issued by the Finance & Administration Department on Fridays of the week following the pay period. If the Friday is a holiday, paychecks or earnings statements are issued to employees on the last working day before the holiday.

Employees separating from the City are normally paid for any hours due during the payroll period of separation when the payroll is processed for that pay period.

**608.3 Direct Deposit**

The City encourages employees to have their paychecks processed through a direct deposit with their designated financial institution(s). Employees must complete a Direct Deposit Enrollment Form and submit it to Human Resources to enroll in direct deposit and to make changes to financial institution and/or account information. The direct deposit paycheck is posted at the employee's designated financial institution(s) the same day that non-direct deposit paychecks are issued.

**608.4 Payroll Documentation**

a. **New Hires**

Newly hired employees must complete all payroll paperwork before starting to work.

b. **Documentation for Changes**

Changes that affect the employee's compensation (e.g., title, grade, salary, department activity account, etc.) must be documented using an electronic Personnel Action Form. The Personnel Action Form is initiated by the employee's supervisor, approved by the Department Head, and forwarded to the Human Resources Department to effect the change. Exceptions to this policy shall occur only with the prior authorization of the Human Resources Director and only as an alternative method of documentation to expedite the payroll process (e.g., memorandum, email, etc.).

### **608.5 Payroll Deductions**

The Finance & Administration Department will make appropriate deductions from an employee's pay under federal, state, or county statutes and regulations. The following deductions may be made from an employee's paycheck:

a. **Mandatory**

Automatic payroll deductions are made from all paychecks for Federal and State income taxes (per individual W-4 Form), and applicable Social Security and Medicare taxes.

b. **Court Directed**

The City shall deduct designated sums from the employee's wages in compliance with all court ordered deductions for child support, restitution, and wage garnishments. Any administrative fees authorized will be applied. The City will only change, modify, or stop court ordered deductions by the terms of a subsequent court order.

c. **Insurance Premiums**

Payroll deductions are made for any applicable employee co-payment for insurance premiums for the City's medical, dental, long-term care, or optional insurance programs. Signed enrollment forms or deduction authorization cards are required before deductions are made. Premium deductions are made biweekly.

d. **Savings**

Several voluntary savings programs are available to employees, including 401K Profit Sharing, 457 Deferred Compensation, Roth IRA, and Montgomery County Credit Union. Signed enrollment forms or deduction authorization cards are required before any deductions are made.

If there are insufficient earnings in a biweekly paycheck to adequately cover an employee's authorized deductions, the remaining unpaid balance due will be deducted from future paychecks or a mutually agreeable alternative method of payment will be implemented.

### **608.6 Overpayment or Debt Recovery**

a. **Recovery of Overpayment to Employee**

1. If the City overpays an employee, the City may deduct money from the employee's pay to recover the overpayment. The City must give the employee written notice and may give the employee a three day time frame to negotiate repayment before the City automatically deducts the amount of the overpayment from the employee's pay.

2. An employee who is overpaid by the City has a duty to promptly notify the Finance & Administration Department of the overpayment.

3. The City may take disciplinary action against an employee who knew about the overpayment but failed to notify the City.

b. **Recovery of Employee Debt to the City**

The City may collect a debt owed to the City by an employee or former employee and deduct the amount owed from unpaid salary, accrued annual leave or compensatory time, or retirement contributions owed to the employee. The City must give the employee or former employee written notice of the debt owed and may give the employee a three day time frame to negotiate repayment.

## **Section 609. Compensation Policies**

### **609.1 Promotion**

When an employee is promoted, the employee will receive a 5 percent salary increase per pay grade increase, or the employee's salary will be increased to the minimum of the new pay grade/pay

step, whichever is greater unless a higher salary is warranted. Increases over 5 percent require City Manager or designee approval.

### **609.2 Reclassification**

a. When a position is reclassified to a higher grade, the employee in the position will have his/her salary increased to the minimum of the new pay grade/pay step, and the employee may receive an additional salary increase as approved by the City Manager or designee.

b. When a position is reclassified to a lower grade, the employee in the position may remain at his/her current salary as long as it is within the range of the new classification. If the employee's current salary is above the maximum of the new pay range, the employee's salary will be adjusted after one year.

### **609.3 Transfer**

When an employee is transferred into a position which has the same pay grade as his/her current position, the employee may maintain his/her current salary within the pay grade.

### **609.4 Demotion**

Salary adjustment may be determined by the City Manager or his/her designee based on the reason for demotion.

### **609.5 Acting Appointment**

To be eligible for acting appointment compensation, an employee must be appointed to act in the capacity of another employee in a position at least one grade higher than the employee's regular position pursuant to the guidelines set forth in Section 806, Acting Assignment; and the employee must directly supervise other employees as part of his/her acting appointment responsibilities.

An acting appointee shall be eligible to receive additional compensation if the duration of the acting appointment is 15 days or more. Additional compensation shall be paid to the appointee retroactively to the date said appointment began. The acting appointee shall receive additional compensation for the acting appointment as approved by the City Manager.

Any merit increase earned by the employee during the period of his/her acting appointment will be based on the employee's salary prior to assuming the acting appointment.

The Fair Labor Standards Act (FLSA) designation of the position being temporarily filled (exempt or non-exempt) shall take precedence with regard to the provisions of the FLSA concerning overtime pay and compensatory leave, regardless of the FLSA designation of the previous position of the acting appointee.

### **609.6 Overtime**

Employees in positions other than those specifically exempted from the Fair Labor Standards Act (FLSA) may be required to work overtime. This may involve extending the workday, weekend work, evening work, holidays, or such time as necessary to meet the operational needs of the City. Overtime is time worked beyond an employee's standard hours in a workweek.

Overtime is computed with the workweek beginning on Sunday and ending on Saturday. Overtime shall be kept to a minimum and shall be used to relieve occasional peak-load needs, emergencies, or hours critical to public safety needs and not to provide for constant recurring requirements. Its use for accomplishing regular services that can be provided during a regular work schedule is usually prohibited. An employee has no entitlement to be assigned overtime work. Overtime may be mandated when related to the health, welfare, or safety of either the public or employees. Except in emergency situations, employees shall not work in excess of authorized scheduled hours without prior approval of the supervisor. In the event of emergency situations, the written approval shall be documented not later than the following workday.

The FLSA specifies eligibility criteria for overtime compensation. Certain positions, as defined under the FLSA, are exempt from overtime compensation regardless of the number of hours worked in a week. The position description for each job classification shall indicate whether the position is exempt or non-exempt from the FLSA.

FLSA overtime shall include all hours worked by a non-exempt eligible employee in excess of 40 hours in a standard work week. For purposes of calculating overtime, annual and holiday leave approved in advance are counted as actual hours worked.

There shall be no "pyramiding" of overtime. Compensation shall not be paid, nor compensatory time earned, more than once for the same hours under any section of this Manual.

Compensation for authorized hours of overtime worked by non-exempt employees is at a rate of one-and-one-half (1½) times the employee's straight time hourly rate of pay. An overtime rate is paid for all hours worked in excess of 40 hours during a seven day work cycle (12 a.m. Sunday through 11:59 p.m. Saturday).

Fractional hours of overtime work will be rounded for payroll purposes to 15 minute increments in accordance with FLSA.

Employees in executive, administrative, or professional positions as defined by the FLSA are exempt from the overtime provisions. Employees within these positions should have no expectation for compensation for hours worked over 40 hours in any given work week. The compensation for exempt employees is designed to be the remuneration for the performance of assigned duties regardless of the hours needed to complete those tasks.

#### **609.7 Compensatory Time**

Non-exempt employees working in excess of 40 hours during a workweek may request compensatory time in lieu of pay for overtime hours worked. The request for compensatory time must be approved by the Department Head or designee. Compensatory time for hours worked is one-and-one-half (1½) times each hour of overtime worked. Employees shall earn compensatory time for hours actually worked in accordance with the following provisions:

- a. Employees may accumulate compensatory time up to a maximum of 40 hours. Upon reaching the maximum limit of accumulated compensatory time, the employee will receive overtime pay as stated in the Overtime Section (609.6).
- b. Scheduling of accumulated compensatory time will be at the mutual agreement of the employee and the Department Head or his/her designee.
- c. Compensatory time shall not be accumulated from one calendar year to the next. An employee shall have until December 31 to use any unused compensatory time; the employee shall be paid for any unused compensatory time remaining after December 31.
- d. Upon separation from City employment, employees will be paid for unused hours of compensatory time at their regular straight-time hourly rate of pay.

There is no compensatory time for exempt employees.

#### **609.8 Holiday Pay**

As far as is practicable, each classified employee and unclassified management employee will receive paid holiday leave on each holiday observed by the City (as set forth in Section 707, Holiday Leave). However, an employee may be required to work on the observed or substitute holiday when the employee's job responsibilities support services or events provided by the City on that day. Additionally, an employee may be required to work on an observed holiday when the observed holiday falls on a Saturday or Sunday and the City has designated a substitute holiday on the preceding Friday or following

Monday to be observed as a holiday for that year for each eligible employee. (See Section 707, Holiday Leave)

For the purposes of this section, actual hours worked shall include holiday and annual leave approved in advance. An overtime rate is paid for all hours worked in excess of 40 hours during a normal workweek. However, as noted in Section 610, there shall be no "pyramiding" of hours worked (e.g., an employee cannot count observed or substitute holiday hours worked at the overtime rate of 1½ as actual hours worked for the purpose of calculating hours worked in excess of 40 in a normal workweek).

An employee who is required by his/her Department Head or designee to work on an observed and/or substitute holiday due to staff shortage or other operational necessity shall be compensated as follows:

a. **Non-Exempt Employees**

1. A non-exempt employee working on an observed or substitute holiday on the employee's regularly scheduled workday will receive:

(a) Regular pay for the hours scheduled to be worked on the employee's normal workday; and

(b) Overtime pay at the rate of 1½ times the regular hourly rate for each hour worked for the normal workday on which the holiday occurs, and for each hour worked in excess of the normal workday.

2. A non-exempt employee working on an observed or substitute holiday on the employee's regularly scheduled day off will receive:

(a) Regular pay for the hours scheduled to be worked on the employee's normal workday **OR** eight hours of holiday leave scheduled within the calendar year the holiday was earned; and

(b) Overtime pay at the rate of 1½ times the regular hourly rate for each hour worked for the normal workday on which the holiday occurs, and for each hour worked in excess of the normal workday; and

(c) Regular hour-for-hour compensatory leave equal to the employee's normal workday (compensatory time awarded in this case is not eligible for overtime pay); and

3. A non-exempt employee working on **BOTH** the observed **AND** the substitute holiday will receive:

(a) Regular pay for hours scheduled to be worked in the normal workday on which the observed and substitute holiday occur; and

(b) Overtime pay at the rate of 1½ times the regular rate of pay for each hour worked for the normal workday on **EITHER** the observed or the substitute holiday, but not for both days; and for each hour worked in excess of the normal workday.

b. **Non-Exempt Employees - Compensatory Time in Lieu of Holiday Pay**

At the employee's option, or whenever budgetary limitations preclude the payment of overtime pay for holiday work, the employee may be awarded compensatory leave as follows:

1. Hour-for-hour compensatory leave for the hours worked on a holiday, equal to the employee's normal workday; and



2. Compensatory time at the rate of 1½ times each hour worked in excess of the normal workweek.

An employee's request for compensatory time in lieu of holiday pay must be approved by the Department Head or designee.

c. **Holiday Falls on an Employee's Regularly Scheduled Day Off**

If an observed or substitute holiday falls on a non-exempt or exempt classified employee's or unclassified management employee's regularly scheduled day off, the employee shall receive eight hours of holiday leave on another day to be taken in the calendar year in which the holiday occurs. If both the observed and substitute holiday fall on an employee's regularly scheduled days off, the employee may receive eight hours of holiday leave on another day for only one of those days.

**609.9 On-Call Pay**

Certain non-exempt employees who are specifically designated and required to be available and ready to work when needed to handle unanticipated situations occurring outside of standard working hours are considered to be "on call." An employee "on call" is not required to remain at his place of work and is free to engage in his own pursuits, subject only to the understanding that the employee may be contacted to perform unanticipated and unscheduled work.

If a Department Head or designee requires the employee "on call" to return to a work status to perform an unanticipated and unscheduled work assignment, usually of an emergency nature, the City must pay the employee a minimum of three (3) hours of overtime or the actual overtime hours worked for each separate instance, excluding travel time. An employee that is required to respond to a call, two or more times during the initial three hour period, will not be entitled to receive additional compensation until three hours have elapsed since he/she initially responded to the call.

An employee "on call" receives compensation only if actual work is performed. An exempt employee is not eligible to earn on-call pay. (See Section 501.5, Work Rules)

**609.10 Stand-By Pay**

Certain non-exempt employees who are required to remain ready and available to work during a specified period of time beyond the employee's standard working hours and expected to return to the worksite within a 30 minute timeframe are considered to be "on stand-by" and are eligible to receive stand-by compensation whether or not they are called into work. Only the Department Head or designee can authorize a person to be on stand-by status. An employee in "stand-by" status must provide the Department Head or designee with contact information through which the employee can be promptly contacted.

An employee in stand-by status will receive no more than one hour of stand-by compensation at the employee's overtime rate for each 24-hour period or less that the employee is in stand-by status until:

- a. The employee is contacted to perform unscheduled work and has reported to work; or
- b. The employee's next regularly scheduled work period; or
- c. The employee is contacted and relieved from stand-by status.

If the employee on stand-by is required to report to work, the City must pay the employee a minimum of three (3) hours of overtime or the actual overtime hours worked.

The City will not pay stand-by compensation to an employee who is "on-call" or is working regular or overtime work hours. An employee that is required to respond to a call, two or more times during the initial three hour period, will not be entitled to receive additional compensation until three hours have elapsed since he/she initially responded to the call.

An exempt employee is not eligible to earn stand-by pay.

#### **609.11 Court Time Pay**

A sworn officer who is required, on his/her regular day off, to attend a job related court appearance as a witness or complainant or ordered to appear at a criminal or civil proceeding that arose out of his/her duties as a police officer for the City shall be paid a minimum of three (3) hours of overtime or the actual overtime hours worked, excluding travel time. When an officer is required to appear in court two or more times during the initial three hour period, the officer will not be entitled to receive additional compensation until three hours have elapsed since he/she initially appeared in court that day.

#### **609.12 Shift Differential Pay**

A sworn police officer, up to and including the rank of Sergeant, shall receive Shift Differential pay for each hour worked as follows:

- a. Evening Shift (3 p.m. to 1 a.m.)      \$.75
- b. Midnight Shift (8 p.m. to 6 a.m.)      \$1.00

#### **609.13 Field Training Officers Pay**

Sworn police officers who have been selected and trained as Field Training Officers (FTOs) are compensated \$3.00 per hour during the period of time they are actively training new officers.

#### **609.14 Police Sergeants Roll Call Pay**

A police sergeant who supervises a shift and who is present for roll call for an additional one-half hour prior to or an additional one-half hour after the end of his/her regular shift may be compensated for the one-half hour time period at the rate of one and one-half times his/her normal rate of compensation; provided, that the actual time worked at roll call is in excess of the sergeant's normal 40-hour workweek.

In the event the sergeant is absent, then a corporal who is performing supervisory tasks in the sergeant's absence and who is present for roll call for an additional one-half hour prior to or an additional one-half hour after the end of his/her regular shift may be compensated for the one-half hour time period at the rate of one and one-half times his/her normal rate of compensation; provided, that the actual time worked at roll call is in excess of the corporal's normal 40-hour workweek.

For the purposes of this section, actual time worked shall include holiday and annual leave approved in advance.

#### **609.15 Multilingual Skills Pay**

Classified employees or unclassified management employees who provide multilingual services in the course of their City government employment are eligible for multilingual skills compensation. To be eligible:

- a. An employee must use multilingual skills to assist the general public on a regular and frequent basis; for the purpose of this policy, regular and frequent is defined as daily use; and
- b. Multilingual skills must be necessary to provide services and are essential to successful performance of official functions; and
- c. The position performs in a setting where there is a demonstrated public need for the designation.

Prior to becoming eligible for the pay differential, the employee must successfully pass a certification examination administered by the Human Resources Department. Employees interested in becoming certified should contact the Human Resources Department to schedule testing.

Multilingual proficiency will be determined by a standardized oral and/or written competency test conducted by the Human Resources Department. Employees who fail the multilingual proficiency test

may retake the test after six (6) months. Fees for tests cancelled or rescheduled with less than 24 hours notice will be deducted from the employee's paycheck.

The rate of pay for employees who successfully pass the certification examination is \$80 per pay period.

The Human Resources Department administers the Multilingual Pay Policy, including proficiency testing and certification. The Department will also periodically review and report on the number and location of employees designated as multilingual.

#### **609.16 Clothing Allowance**

A clothing allowance is additional compensation afforded to employees for the purchase of required clothing and equipment. The City Manager may authorize employees some form of clothing allowance based upon the operational requirements of their Department and the customary activities of the employee requesting the allowance. This will be reported as taxable income to the employee.

#### **609.17 Facility Closure & Emergency Pay**

In the event of urgent situations or dangerous weather or general emergency conditions, the City Manager may declare a period of emergency in the City. If circumstances warrant, the City Manager will order City facilities to be closed and/or activities to be cancelled during the emergency period. During weather or other emergency situations that affect the region, unless otherwise declared by the City Manager, the City will follow the same policy as Montgomery County Government concerning closing facilities, delayed openings, and/or liberal leave.

##### **a. Facilities Closed**

If City facilities are closed due to a weather related or other general emergency, the following methods will be applied in compensating employees during the period of emergency. Employees should use the guidelines noted below in reflecting the facility closure on their time and attendance records.

#### **1. Employees Scheduled to Work and Did Work**

##### **(a) Non-Exempt Employees**

Non-exempt employees will receive compensation at their regular hourly rate for hours actually worked and additional compensation at their regular hourly rate for the period of the emergency which coincides with their normally scheduled work day.

##### **(b) Exempt Employees**

Exempt employees who, at the direction of their supervisor, are required to work during any period of the emergency may apply additional hours worked toward flex time as outlined in Section 501.4, Alternative Work Schedules.

##### **(c) Part-Time Employees**

Part-time employees who, at the direction of their supervisor, are required to work during the period of emergency will be compensated at their regular rate of pay for all hours worked during the period of emergency.

#### **2. Employees Scheduled to Work But Did Not**

##### **(a) Classified Employees and Unclassified Management Employees**

Classified employees and unclassified management employees will be granted administrative leave only for the period of the emergency that coincides with their selected work period.

(b) **Part-Time Employees**

Part-time employees will be given the opportunity to make up the hours they were scheduled to work, if possible, and will be paid at their standard pay rate for those hours.

3. **Employees Scheduled to Work and Did Work,  
Such Work Was in Excess of Normal Work Day**

(a) **Non-Exempt Employees**

Non-exempt employees will receive compensation at their regular hourly rate for hours worked and additional compensation at the rate of 1½ times their regular hourly rate (as overtime pay or compensatory time earned) for the period of the emergency which coincides with time worked in excess of the normal work day.

(b) **Exempt Employees**

Exempt employees who, at the direction of their supervisor, are required to work during the period of the emergency may apply additional hours worked toward a temporary schedule adjustment (see Section 500, Work Rules).

(c) **Part-Time Employees**

Part-time employees who, at the direction of their supervisor, are required to work during the period of emergency will be compensated at their regular rate of pay for all hours worked during the period of emergency. (See above.)

4. **All Employees Not Scheduled to Work or in Paid Leave Status**

Employees on a regular day off (including employees on compressed work schedules) or in a leave status (i.e., annual, sick, personal, compensatory, etc.) during the period of emergency receive no additional compensation. Such employee cannot receive administrative leave or an alternate day off.

5. **Employees Who Worked on a Scheduled Day Off**

Same as #3 above.

b. **Delayed Opening**

If a delayed opening is declared (either by the City Manager or by Montgomery County Government), all employees scheduled to work are expected to report to work at the later specified time. If unable to do so:

**Classified employees and unclassified management employees** would be required to take annual, compensatory, or personal leave for the remainder of the work day.

**Part-Time Employees** would not be compensated.

c. **Liberal Leave Policy**

If a liberal leave policy is declared (either by the City Manager or by Montgomery County Government), City offices remain open and all employees should report to work as soon as they feel travel conditions permit them to safely do so. If an employee is delayed or unable to report to work when a liberal leave policy is in effect:

**Classified employees and unclassified management employees** may take annual, compensatory, or personal leave without prior authorization from their supervisor for any time they may be delayed in reporting to work or unable to report to work.

**Part-Time Employees** will not be granted compensation for time missed.

If a liberal leave policy goes into effect during the day, **classified employees and unclassified management employees** who desire to leave may take annual, compensatory, or

personal leave. **Part-Time employees** who desire to leave early will not be compensated for the hours they were scheduled to work but did not.

**609.18 Awards for Outstanding Service**

An employee who performs the duties and responsibilities of his/her position in an outstanding manner and whose work generally is well above expectations shall be eligible to be considered for an outstanding service award as approved by the City Manager.

**Section 610. Pyramiding of Hours Worked Prohibited**

There shall be no "pyramiding" of hours worked. Compensation shall not be paid, nor compensatory time earned, more than once for the same hours under any section of this Manual.